

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

E. K. WADE,

Plaintiff,

v.

HENRY J. KERNER,

Defendant.

No. 2:20-cv-1791-KJM-KJN PS

ORDER

(ECF Nos. 2, 16)

On October 21, 2020, the magistrate judge filed findings and recommendations (ECF No. 16), which were served on the plaintiff and which contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. No objections were filed.<sup>1</sup>

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court . . .”). Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.

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<sup>1</sup> Plaintiff has filed identical second and third amended complaints (ECF Nos. 18, 19) which do not bear on the findings and recommendations before the court.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations (ECF No. 16) are ADOPTED IN FULL; and

3 2. Plaintiff's motion for preliminary injunction (ECF No. 2) is DENIED.

4 DATED: March 17, 2021.

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7 CHIEF UNITED STATES DISTRICT JUDGE  
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